

ORDER SHEET  
IN THE HIGH COURT OF SINDH KARACHI  
**Criminal Bail Application No.1230 of 2023**

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Date                      Order with signature(s) of Judge(s)

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Syed Muhammad Kazim.....Applicant/Accused

Vs.

The State.....Respondent

**14.09.2023**

Mr. Abrar Ali Khichi, Addl. P.G.  
PI Abdul Rauf SIU

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**ORDER**

**AMJAD ALI SAHITO, J --** Through this application, applicant above named seeks post-arrest bail in Crime No.304/2022 U/s 6/9(1)3(E) CNS Act at PS SIU, after his bail plea has been declined by the learned Addl. District & Sessions Judge-I, Karachi East vide order dated 28.04.2023.

2. On the last date of hearing one Mr. Muhammad Ali Lari, Advocate shown his appearance and undertook to file Vakalatnama on behalf of the applicant but today he is called absent without any intimation. From perusal of record, it reflects that on spy information, car of the applicant was intercepted by the police wherein near about 51.645 kg charas was recovered from the said vehicle, which was sent to the Chemical Examiner, which report received as positive. The punishment provided under the said offence is life imprisonment. Further, four witnesses have been examined in this case. Since the trial is at verge as such reliance is placed in the case of **Rehmatullah v. The State (2011 SCMR 1332)**, wherein the Hon'ble Supreme Court of Pakistan has held that the courts should not grant or cancel bail when the trial is in progress and proper course for the courts in such a

situation would be to direct the learned trial Court to conclude the trial of the case within a specified period.

3. In view of the above, the applicant has failed to make out a case for grant of bail in terms of subsection 2 of Section 497 Cr.P.C. Accordingly, the instant Bail Application is **dismissed**.

4. Needless to mention here that the observations made hereinabove are tentative in nature and would not influence the learned trial Court while deciding the case of the applicant/accused on merits.

JUDGE

Kamran/PA